

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ROBERT W. JOHNSON,

Plaintiff,

vs.

**Case No.: 2:19-cv-1130
JUDGE GEORGE C. SMITH
Magistrate Judge Deavers**

NATIONWIDE INSURANCE, et al.,

Defendants.

ORDER

On April 17, 2019, the United States Magistrate Judge issued an *Initial Screen Report and Recommendation* recommending that Plaintiff's Complaint be dismissed for failure to state a claim upon which relief can be granted. (*See Report and Recommendation*, Doc. 7). The parties were advised of their right to object to the *Report and Recommendation*. This matter is now before the Court on Plaintiff's Objections to the *Report and Recommendation*. (*See* Doc. 8). Plaintiff has also filed a Motion to Amend his Complaint. (Doc. 9). The Court will consider the matter *de novo*. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3).

Plaintiff merely restates the same allegations made in his Complaint and generally objects to the recommended dismissal. As the Magistrate Judge correctly concluded, Plaintiff's conclusory allegations are insufficient to maintain this case. He has failed to allege any specific wrongful conduct by any named Defendant. Further, Plaintiff has failed to sufficiently allege claims for violation of the Due Process Clause and negligence. In his objection, Plaintiff has failed to state sufficient grounds to overturn the Magistrate Judge's well-reasoned *Order and*

Report and Recommendation. Plaintiff's general objections are not sufficient to preserve any issues for review, and "[a] general objection to the entirety of the magistrate's report has the same effects as would a failure to objection." *Howard v. Sec'y of H.H.S.*, 932 F.2d 505, 509 (6th Cir. 1991).

With respect to Plaintiff's Motion to Amend his Complaint, he has merely reasserted the same claims raised in his original Complaint. Therefore, the Court finds that any amendment to the Complaint would be futile and therefore denied. Therefore, for the reasons stated in detail in the *Report and Recommendation*, this Court finds that Plaintiff's Objections are without merit and are hereby **OVERRULED**.

The *Report and Recommendation*, Document 7, is hereby **ADOPTED** and **AFFIRMED**. Plaintiff's Motion to Amend, Document 9, is **DENIED**. Plaintiff's Complaint is hereby dismissed.

The Clerk shall remove Documents 7, 8, and 9 from the Court's pending motions list.
The Clerk shall terminate this case.

IT IS SO ORDERED.

/s/ George C. Smith
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT